

CITY OF SAN ANTONIO

Department of Housing and Community Development



**REQUEST FOR QUALIFICATIONS
("RFQ")**

for

**COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDOS)
DECEMBER 2003**

**2003 CHDO RFQ
TABLE OF CONTENTS**

Section	Page Number
Background	3
Scope of Services	3
Term of Certification	4
Proposal Requirements	4
Submission of Proposals	5
Restrictions on Communication	6
Evaluation Criteria	7
Schedule of Events	7
Respondent Qualification General Questionnaire	Attachment 1
Summary of Qualifications	Attachment 2
Discretionary Contracts Disclosure	Attachment 3
Litigation Disclosure	Attachment 4
Indemnity Requirements	Attachment 5
Signature Page	Attachment 6
Proposal Checklist	Attachment 7

I. BACKGROUND

The City of San Antonio ("City") seeks Proposals from qualified non profit organizations interested in becoming certified City of San Antonio Community Housing Development Organizations (CHDOs) in order to assist the City with providing affordable housing to our citizens.

A CHDO is a private nonprofit, community-based service organization whose primary purpose is to provide and develop decent, affordable housing for the community it serves. Certified CHDOs receive certification from the City indicating that they meet certain HOME Program requirements and therefore are eligible for HOME funding.

The Home Investment Partnerships Program or HOME Program was created by the National Affordable Housing Act of 1990. The purpose of the HOME Program is to increase the supply of safe, decent, sanitary, and affordable housing for low and very-low-income households. HOME also seeks to expand the capacity of nonprofit housing providers, strengthen the ability of state and local governments to provide housing; and leverage private-sector participation. HOME funds are allocated to states and local jurisdictions as one of four community development formula grant programs administered by the U.S. Department of Housing and Urban Development (HUD). By statute, a minimum of fifteen percent of the City's yearly HOME allocation must be allocated to certified CHDOs.

Completion of this RFQ and subsequent certification does not guarantee receipt of future HOME funds. Only certified CHDOs, however, will be eligible to apply for the set aside HOME funds.

Please note that religious organizations cannot qualify as CHDOs, but they may sponsor the creation of wholly secular non-profits. Any housing developed by a CHDO sponsored by a religious organization must be made available to all persons, regardless of belief or religious affiliation.

HUD requires yearly re-certifications of existing CHDOs, therefore this RFQ should be completed by existing CHDOs seeking re-certification as well as new organizations seeking CHDO status.

II. SCOPE OF SERVICES

CHDOs are expected to be the City's partner in relation to affordable housing and neighborhood revitalization goals. CHDO status does not come with a requirement for any particular service or project. Those expectations come with an award of HOME funds and subsequent contract with the City. Applications for HOME funds will be available in January 2004.

III. TERM OF CERTIFICATION

If certified, this certification will be effective until November 2004. Yearly re-certifications are required.

V. PROPOSAL REQUIREMENTS

Respondent's Proposal shall include the following items in the following sequence:

- A. RESPONDENT QUALIFICATION GENERAL QUESTIONNAIRE: Completed Respondent Qualification General Questionnaire. (Attachment 1)
- B. SUMMARY OF QUALIFICATIONS: Completed form outlining respondents staff complement and experience with affordable housing projects. (Attachment 2)
- C. DISCRETIONARY CONTRACTS DISCLOSURE: Completed Discretionary Contracts Disclosure Form. (Attachment 3) If Respondent is proposing as a team or joint venture, then all parties to that team or joint venture shall complete and return this form with the proposal.
- D. LITIGATION DISCLOSURE: Completed Litigation Disclosure Form. (Attachment 4) If Respondent is proposing as a team or joint venture, then all parties to that team or joint venture shall complete and return this form with the proposal.
- E. ANNUAL FINANCIAL STATEMENT: Include a copy of Respondent's most recent annual financial statement. An audited statement is preferred.
- F. SIGNATURE PAGE: Respondent must complete and include Signature Page with proposal. The Signature Page must be signed by a person, or persons, authorized to bind the entity, or entities, submitting the proposal. Proposals signed by a person other than an officer of the company or partner of the firm shall be accompanied by evidence of authority. (Attachment 6)
- G. PROPOSAL CHECKLIST: Completed proposal checklist. (Attachment 7)

Respondent is expected to examine this RFQ carefully, understand the terms and conditions for providing the services listed herein and respond completely. FAILURE TO COMPLETE AND PROVIDE ANY OF THESE DOCUMENTS MAY RESULT IN THE RESPONDENT'S PROPOSAL BEING DEEMED NON-RESPONSIVE AND THEREFORE DISQUALIFIED FROM CONSIDERATION.

VI. SUBMISSION OF PROPOSALS

- A. Respondent shall submit one (1) copy of the Proposal along with the original; the original signed in ink, in a sealed package, with the agency name clearly marked on the front of the package. All qualifications packages must be received in the City Clerk's office no later than 3pm central time, Friday, December 12th, 2003 at the address below. Any Proposal received after this time shall not be considered.

Mailing Address:

City Clerk's Office, Attn: Housing and Community Development
P.O. Box 839966,
San Antonio, Texas 78283-3966

Physical Address:

City Clerk's Office, Attn: Housing and Community Development
100 Military Plaza
2nd floor, City Hall
San Antonio, Texas 78205.

Proposals sent by facsimile or email will not be accepted.

- B. Proposal Format: Each proposal shall be typewritten and submitted on 8 ½" x 11" white paper inside a three ring binder. Font size shall be no less than 12 point type. All pages shall be double spaced and printed on one side only. Margins shall be no less than ¾" around the perimeter of each page. Each page shall be numbered. Electronic files shall not be included as part of the proposal; compact disks and/or computer disks submitted as part of the proposal will not be considered. Each proposal must include the sections and attachments in the sequence listed in the Proposal Requirements Section, and each section and attachment must be indexed and divided by tabs and indexed in a Table of Contents page. Failure to meet the above conditions may result in disqualification of the proposal.
- C. Respondents who submit responses to this RFQ shall correctly reveal, disclose, and state the true and correct name of the individual, proprietorship, corporation, and /or partnership (clearly identifying the responsible general partner and all other partners who would be associated with the contract, if any). No nick-names, abbreviations (unless part of the legal title), shortened or short-hand, or local "handles" will be accepted in lieu of the full, true and correct legal name of the entity. These names shall comport exactly with the corporate and franchise records of the Texas Secretary of State and Texas Comptroller of Public Accounts. Individuals and proprietorships, if operating under other than an individual name, shall match with exact Assumed Name filings. Corporate Respondents and limited liability company Respondents shall include the 11-digit Comptroller's Taxpayer Number on the signature page of the Proposal.

If an entity is found to have incorrectly or incompletely stated its name or failed to fully reveal its identity on the signature page of its proposal, the Director of Housing and Community Development shall have the discretion, at any point in the contracting process, to suspend consideration of the proposal.

- D. All proposals become the property of the City upon receipt and will not be returned. Any information deemed to be confidential by Respondent should be clearly noted on the page(s) where confidential information is contained; however, the City cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by Respondent may not be considered confidential under Texas law, or pursuant to a Court order.
- H. Any cost or expense incurred by the Respondent that is associated with the preparation of the Proposal, the Pre-Proposal conference, if any, or during any phase of the selection process, shall be borne solely by Respondent.

VII. RESTRICTIONS ON COMMUNICATION

Once the RFQ has been released, Respondents are prohibited from communicating with City staff or City officials regarding the RFQ or Proposals, with the following exceptions:

- A. Questions concerning this RFQ shall be directed, in writing only, to the Housing and Community Development Department, attn: Ivy R. Taylor, HOME Coordinator, at 1400 South Flores, Unit 3 San Antonio, Texas 78204. It is suggested that all questions be sent by certified mail, return receipt requested; however, electronic submissions by facsimile or e-mail will be accepted at 210-886-0006 or isidberry@sanantonio.gov. Respondents wishing to receive copies of the questions and their responses must notify Ivy Taylor at isidberry@sanantonio.gov.
- B. Respondent shall not contact City employees nor Officers before a decision has been made, except as set out herein. Violation of this provision by Respondent or his agent may lead to disqualification of his proposal from consideration.
- C. The City reserves the right to contact any Respondent for clarification after responses are opened and/or to further negotiate with any Respondent if such is deemed desirable by City.

VIII. EVALUATION CRITERIA

The City will conduct a comprehensive, fair and impartial evaluation of all Proposals received in response to this RFQ. Each Proposal will be analyzed to determine overall responsiveness and qualifications under the RFQ. **CHDO certification will be granted to those organizations that**

meet all of the criteria listed on the respondent qualification questionnaire. No scores will be given.

IX. SCHEDULE OF EVENTS

Following is a list of **projected dates** with respect to this RFQ:

RFQ Solicitation Period	December 1 st to December 12th
Proposals Due	December 12th
Evaluations Conducted	December 12 th to December 19th
Notification to Selected CHDOs	December 21st

ATTACHMENT 1

RESPONDENT QUALIFICATION GENERAL QUESTIONNAIRE

This is similar to the “CHDO Checklist” that has been used in the past. Please provide ALL information that is requested. Every question must be answered. Your submission must include page numbers and section references for each line item in the checklist. In addition, your back up documentation must be clearly labeled.

SECTION 1: CHDO LEGAL STATUS AND PURPOSE

- a. A CHDO must be organized as a non-profit under state or local law. Provide evidence of legal status by:

_____ Charter attached, OR
_____ Articles of Incorporation attached

Please reference applicable page numbers in these documents!

- b. Provide evidence that no part of your net earnings benefits any member, founder, contributor or individual;

_____ Charter attached, OR
_____ Articles of Incorporation attached

Please reference applicable page numbers in these documents!

- c. Provide evidence of IRS Tax Exempt status. The following are acceptable:

_____ 501©(3)
_____ 905

Section 501©(4) status is not acceptable.

- d. Provide evidence of purpose to provide decent affordable housing to low and moderate income families. Evidence provided:

_____ statement in charter
_____ articles of incorporation
_____ by-laws
_____ resolution by non-profit/CHDO
_____ statement in strategic plan

SECTION 2: CAPACITY

- a. A CHDO must conform to financial accounting standards as defined in OMB Circular A-133. If you need to reference OMB Circular A-133, go to the following website: www.whitehouse.gov/omb/circulars/a133/a133.html. Provide evidence of conformance to prescribed accounting standards:

_____ A notarized statement by the president or chief financial officer of the organization; OR
 _____ A certification from a Certified Public Accountant

- b. Provide evidence of demonstrated capacity to carry out activities proposed with HOME funds. Sufficient evidence will include either of the following: a list of agency accomplishments OR a list of staff accomplishments. ***Please see Attachment 2 for accomplishment summary chart.***
- c. What is the current status of previous grants and funding awards? Please use the chart below to describe results achieved through use of HOME funds or other award funds.

Award Year	HOME Award Amount	Other Source Award Amount	Proposed Outcome/Number of Units	Results/Status (Units completed/clients served and dollars expended)

- d. Certified CHDOs must demonstrate a history of serving the community where assisted housing is to be provided with HOME funds. Your organization must show evidence of operating in San Antonio for at least three years prior to CHDO application. Describe experience below, including activities such as: developing new housing, rehabilitating existing stock, managing housing stock, or delivering other housing related services.

Newly created organizations may use the history of service of a parent organization. The parent organization must have a history of serving San Antonio.

SECTION 3: ORGANIZATIONAL STRUCTURE

- a. Provide a copy of the organization's board roster. CHDO must maintain 1/3 of its governing board membership from residents of low-income neighborhood organizations in San Antonio. Identify the low-income board members and state how they qualify based on the following requirements:

1) Resident of low-income neighborhoods in the community :

Low income board representative is a resident of low income neighborhood where 51 percent or more of the residents are low-income, OR

2) Low-income resident of the community:

Low income board representative is a low-income person who lives in the San Antonio MSA. Please note: if the board member is a low-income resident but does not live in a low-income neighborhood, CHDO must obtain certification verifying low income status of board member., OR

3) Elected representative of low-income neighborhood organizations:

Low income board representative is an elected representative of a low-income neighborhood organization (an organization composed primarily of residents of low-income neighborhood.)

Please attach a copy of your board roster which indicates the low income board members and states which of the above requirements those board members meet.

- b. At least 3/4 of the certified CHDO board membership must reside in the San Antonio MSA. Identify all board members who reside in the San Antonio MSA and list their addresses.

- c. CHDO must have a formal process for low-income program beneficiaries to advise the organization in all phases of the development of HOME assisted projects including siting, design, development and management decisions. **This requirement is not met by the board composition.** Provide evidence of this formal process by:

_____ By-laws attached, OR

_____ Articles of Incorporation attached

Please reference applicable page numbers in these documents!

If the documents listed above do not provide details on the implementation of this process, please attach those details.

- d. CHDO may only have a maximum of 1/3 of its board consist of representatives of the public sector. A representative of the public sector is one who is an elected official, appointed public official, public employee or an individual who is appointed by a public official. Representatives of the public sector appointed by an public official may not select the other 2/3 members of the board, such that more than 1/3 of the members can be traced back to public officials. Identify any public sector board members and who they work for or what office they hold.

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- e. A CHDO sponsored or created by a for-profit entity may not have more than 1/3 of its board membership appointed by the for-profit entity and the board members appointed by the for-profit may not, in turn, appoint the remaining 2/3 of the board membership. This stipulation is evidenced by the organizations:

_____ By-Laws attached, OR

_____ Articles of Incorporation

Please reference applicable page numbers in these documents!

SECTION 4: RELATIONSHIP WITH FOR-PROFIT ENTITIES

- a. Provide evidence that CHDO is not controlled nor receives directions from a for-profit entity or individual seeking profit from the organization. Evidence provided:

_____ By-laws attached, OR

_____ Articles of Incorporation attached

Please reference applicable page numbers in these documents!

- b. CHDO is free to contract goods or services from vendors of its own choosing is evidenced by the organizations:

_____ By-laws attached, OR

_____ Articles of Incorporation attached

Please reference applicable page numbers in these documents!

SECTION 5: SERVICE AREA

- a. CHDO does not need to represent a single neighborhood, however the service area and proposed project must be within the city limits of San Antonio. Provide a written description of the identified service area and proposed project. Attach maps with surrounding streets and boundaries.

ATTACHMENT 2 SUMMARY OF QUALIFICATIONS

1. Agency Accomplishments

Please list the affordable housing projects or programs that have been successfully completed by your agency or are currently underway.

2. Staff Complement

Please list all staff members (full and part-time) with their titles, responsibilities and a brief summary of their qualifications below. Please use the chart. Do **not** substitute this chart with resumes.

Note: If you have consultants who perform staff duties, please list them in this chart and note that they are consultants.

Staff Name	Title	Current Responsibilities	Summary of accomplishments related to housing/Years of Experience
<i>Sample: Jane Doe</i>	<i>Executive Director</i>	<i>Oversee all operations of ABC Housing Agency.</i>	<i>10 years in affordable housing; 2 years experience in banking; Certified Real Estate professional</i>
<i>Jim Brown</i>	<i>Program Officer</i>	<i>Responsible for homebuyer counseling and marketing</i>	<i>5 years with ABC Housing Agency; HUD certified housing counselor; B.A. in Marketing</i>

ATTACHMENT 3
DISCRETIONARY CONTRACTS DISCLOSURE FORM

City of San Antonio

Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1&2

Attach additional sheets if space provided is not sufficient.

State "Not Applicable" for questions that do not apply.

This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed.

Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the City in the enforcement of provisions contained in the City Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract from the City is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any **individual** who would be a party to the discretionary contract:

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(2) the identity of any **business entity**¹ that would be a party to the discretionary contract:

--

and the name of:

(A) any individual or business entity that would be a **subcontractor** on the discretionary contract;

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and the name of:

(B) any individual or business entity that is known to be a **partner**, or a **parent** or **subsidiary** business entity, of any individual or business entity who would be a party to the discretionary contract;

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(3) the identity of any **lobbyist** or **public relations firm** employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

¹ A **business entity** means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, or other entity recognized by law.

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Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any *current* or *former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:

Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

Signature:	Title: Company:	Date:

² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

ATTACHMENT 4

LITIGATION DISCLOSURE FORM

Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from consideration or termination of the contract, once awarded.

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor greater than a Class C in the last five (5) years?

Circle One

YES

NO

2. Have you or any member of your Firm or Team been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

Circle One

YES

NO

3. Have you or any member of your Firm or Team been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Circle One

YES

NO

If you have answered “Yes” to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your proposal.

ATTACHMENT 5

INDEMNIFICATION REQUIREMENTS

RESPONDENT, if selected, covenants and agrees to FULLY INDEMNIFY and HOLD HARMLESS, the CITY and the elected officials, employees, officers, directors, volunteers and representatives of the CITY, individually or collectively, from and against any and all costs, claims, liens, damages, losses, expenses, fees, fines, penalties, proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including but not limited to, personal or bodily injury, death and property damage, made upon the CITY directly or indirectly arising out of, resulting from or related to RESPONDENT's, if selected, activities under this CONTRACT, including any acts or omissions of RESPONDENT, if selected, , any agent, officer, director, representative, employee, consultant or subcontractor of CONSULTANT, and their respective officers, agents, employees, directors and representatives while in the exercise of performance of the rights or duties under this CONTRACT, all without however, waiving any governmental immunity available to the CITY under Texas Law and without waiving any defenses of the parties under Texas Law. IT IS FURTHER COVENANTED AND AGREED THAT SUCH INDEMNITY SHALL APPLY EVEN WHERE SUCH COSTS, CLAIMS, LIENS, DAMAGES, LOSSES, EXPENSES, FEES, FINES, PENALTIES, ACTIONS, DEMANDS, CAUSES OF ACTION, LIABILITY AND/OR SUITS ARISE IN ANY PART FROM THE NEGLIGENCE OF CITY, THE ELECTED OFFICIALS, EMPLOYEES, OFFICERS, DIRECTORS AND REPRESENTATIVES OF CITY, UNDER THIS CONTRACT. The provisions of this INDEMNITY are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity. RESPONDENT, if selected, shall advise the CITY in writing within 24 hours of any claim or demand against the CITY or RESPONDENT, if selected, known to RESPONDENT, if selected, related to or arising out of RESPONDENT's, if selected, activities under this CONTRACT and shall see to the investigation and defense of such claim or demand at RESPONDENT's, if selected, cost. The CITY shall have the right, at its option and at its own expense, to participate in such defense without relieving CONSULTANT of any of its obligations under this paragraph.

It is the EXPRESS INTENT of the parties to this CONTRACT, that the INDEMNITY provided for in this section, is an INDEMNITY extended by RESPONDENT, if selected, to INDEMNIFY, PROTECT and HOLD HARMLESS, the CITY from the consequences of the CITY'S OWN NEGLIGENCE, provided however, that the INDEMNITY provided for in this section SHALL APPLY only when the NEGLIGENT ACT of the City is a CONTRIBUTORY CAUSE of the resultant injury, death, or damage, and shall have no application when the negligent act of the City is the sole cause of the resultant injury, death, or damage. RESPONDENT, if selected, further AGREES TO DEFEND, AT ITS OWN EXPENSE and ON BEHALF OF THE CITY AND IN THE NAME OF THE CITY, any claim or litigation brought against the CITY and its elected officials, employees, officers, directors, volunteers and representatives, in connection with

any such injury, death, or damage for which this INDEMNITY shall apply, as set forth above.

The provisions of this INDEMNIFICATION are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

RESPONDENT, if selected, shall advise the CITY in writing within 24 hours of any claim or demand against the CITY or RESPONDENT, if selected, known to CONSULTANT related to or arising out of contractor's activities under this contract.

ATTACHMENT 6

SIGNATURE PAGE

“✓” Check box that indicates business structure of Respondent

- ☐ Individual or Proprietorship
- ☐ Partnership or Joint Venture
- ☐ Corporation

The undersigned certifies that (s)he is _____ (title) of the Respondent entity named below; that (s)he is designated to sign this Proposal Form (if a Corporation then by resolution with Certified Copy of resolution attached) for and on behalf of the entity named below, and that (s)he is authorized to execute same for and on behalf of and bind said entity to the terms and conditions provided for in the Proposal as required by this RFQ, and has the requisite authority to execute an Agreement on behalf of Respondent, if awarded, and that the 11-digit Comptroller's Taxpayer Number for the entity is:

11-digit Comptroller's Taxpayer Number

Respondent Organization Name (DBA also required if Individual or Proprietorship)

By: _____

By: _____

(If Respondent is a Joint Venture, an authorized signature from a representative of each party is required)

Employer Identification Number

By signature above, Respondent agrees to the following:

1. If awarded a contract in response to this RFQ, Respondent will be able and willing to comply with the insurance and indemnification requirements set out in Attachments 5.
2. If awarded a contract in response to this RFQ, Respondent will be able and willing to comply with all representations made by Respondent in Respondent's Proposal and during Proposal process.
3. Respondent has fully and truthfully submitted a Litigation Disclosure form with the understanding that failure to disclose the required information may result in disqualification of proposal from consideration.
4. Respondent agrees to fully and truthfully submit a General Questionnaire and with understanding failure to fully disclose requested information may result in disqualification of proposal from consideration or termination of contract, once awarded.

ATTACHMENT 7

PROPOSAL CHECKLIST

This checklist is to help the Respondent ensure that all required documents have been included in its proposal.

Document	Check or Initial to Indicate Document is Attached to Proposal
Respondent Qualification General Questionnaire (Attachment 1 in RFQ)	
Summary of Qualifications (Attachment 2 in RFQ)	
*Discretionary Contracts Disclosure (Attachment 3 in RFQ)	
Litigation Disclosure (Attachment 4 in RFQ)	
Annual Financial Statement	
Proposal Checklist	
*Signature Page (Attachment 6 in RFQ)	
1 Copy of Proposal (plus original)	

***Documents marked with an asterisk on this checklist require a signature. Be sure they are signed prior to submittal of proposal.**